

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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Brian Radecki  
and Amy Radecki,

Plaintiffs,

Case No. 20-cv-814

v.

National Fire & Marine Insurance  
Company, Ironshore Specialty  
Insurance Company, National Fire  
& Marine Insurance Company as  
administered by Medpro Group Company,  
Gundersen Clinic Professional  
Liability Insurance Plan,  
Gundersen Clinic, Ltd,  
and Katherine Dahl,

Defendants.

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**ORDER DECLARING THE RELEVANCY AND COST BENEFITS OF OBTAINING  
THE FILES, PLEADINGS, TRANSCRIPTS, EXHIBITS AND CASE MATERIALS IN  
HOUSTON COUNTY, MINNESOTA DISTRICT COURT CASE NO. 28-CV-17-793  
AND CASE NO. 28-CV-18-661 FOR USE IN THE U.S. DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WISCONSIN CASE NO. 20-CV-814**

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1. This Court has reviewed plaintiffs' Motion to Produce Medical Records and Brief in Support of Motion to Produce (Docs. 24, 25), plaintiffs' Amended Motion to Produce Records and Plaintiffs' Supplemental Brief in Support of Motion to Produce (Docs. 31, 32) and a subsequent Joint Motion to Declare Relevancy filed on May 10, 2021 (Doc. 51) in regard to the relevancy to this case of court records in Houston County, Minnesota cases 28-JV-17-792 and 28-JV-661.

2. As of this date this Court has received no comment or objection on behalf of Lillian Radecki, despite notice of the Joint Motion having been provided to her attorney.

3. The parties agree that the claim herein is a third party malpractice claim arising from the medical and behavioral healthcare given to plaintiffs' daughter Lillian Radecki and that plaintiffs allege was a cause for her to accuse plaintiff Brian Radecki of sexually abusing her on one occasion.

4. Upon review of the Plaintiffs' Motion to Produce Medical Records, Plaintiffs' Amended Motion to Produce Medical Records, and the Joint Motion To Declare Relevancy filed by the parties, and having received no objection or disagreement from Lillian Radecki or her counsel, this Court finds that the issues that will be litigated in this third party malpractice case are substantially similar to issues that were addressed and presented in Houston County, Minnesota Cases 28-JV-17-792 and 28-JV-18-661.

5. This Court is aware that the parties intend to file a "Request for Access to Confidential or Sealed Information" in the Minnesota courts to obtain the material in the above cases.

6. This Court declares that the material contained in Houston County, Minnesota District Court Case No. 28-CV-17-793 and Case No. 28-CV-18-661 is relevant to the issues arising in the above matter and that the provision of the material contained therein, including files, pleadings, transcripts, exhibits, and other case materials, will be helpful and provide substantial cost benefits to the parties herein.

7. For use in support of the "Request for Access to Confidential or Sealed Information," this Court also declares that it intends to enforce the Protective Order that has already been entered in this case to ensure the privacy of the materials in this case and the Minnesota CHIPS Cases' records throughout the above matter.

Dated this 29<sup>th</sup> day of July, 2021.

A handwritten signature in black ink, appearing to read "Stephen L. Crocker", written over a horizontal line.

The Honorable Stephen L. Crocker